

February 7, 2007

**MINUTES OF A REGULAR MEETING  
OF THE TORRANCE BLUE RIBBON  
COMMITTEE ON ETHICS AND INTEGRITY**

**1. CALL TO ORDER**

The Torrance Blue Ribbon Committee on Ethics and Integrity convened in a regular meeting at 7:02 p.m. on February 7, 2007, in the Cultural Arts Center Garden Room.

**2. ROLL CALL**

Present: Members Adelsman, Benoit, Furey, Gallagher, Gottshall-Sayed, Hardison, Mayeda, McCabe, Montoya, Payne, and Skoll.

Absent: None.

Also Present: Assistant City Attorney Pohl, Management Associate Fulton, and Assistant City Manager Sunshine.

**3. AFFIDAVIT OF POSTING**

Assistant City Manager Sunshine indicated that the affidavit had been posted.

**4. APPROVAL OF MINUTES – JANUARY 3, 2007**

Chair Hardison indicated that the Oral reports section should read: "Chair Hardison asked for Oral Reports. There were no requests to speak."

Member Payne noted that on page 4 the second to last paragraph should indicate "first person, present tense," not just present tense.

Member McCabe asked that the last sentence in the first paragraph on page 3 be change to read: "She added that they were writing a code with implementation and discussion as to who would be in charge."

**MOTION:** Member Benoit moved to approve the January 3, 2007 minutes as corrected. Member Gottshall-Sayed seconded the motion and a voice vote reflected unanimous approval.

**5. Discussion Items which may involve review of such issues as gifts and gratuities, campaign finances, conflicts of interest, statements of economic interest, misuse of public funds; revolving door issues (post employment lobbying), meals, and staging photos for elections involving city vehicles and uniformed employees.**

Chair Hardison thanked Committee members for turning in requested materials on time. She asked that item 6b be taken out of order.

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## **6. ACTION ITEMS**

### **6b. Approve First Quarter Report for Transmission to City Council**

Referring to the material of record, Chair Hardison first focused on italicized language noting that they were writing a code rather than regulations and were also talking about sustainable components to that program which requires more effort on their part. She questioned whether anyone needed anything to be added, deleted or clarified about what the Committee had accomplished.

The Committee discussed and made minor changes to the draft of the First Quarter Report for Transmission to City Council.

Member Gottshall-Sayed pointed out that the Committee had agreed to refer to the Code of Ethics as an Integrity Code at the second meeting and she added that during the November meeting the group had agreed that they were looking to create an inspirational code. She suggested changing the wording to indicate they were working toward a values based inspirational goal.

**MOTION:** Moved by Member Adelsman and seconded by Member Furey that honesty, respect, trust, responsibility, and transparency would be included as core values in the code. A voice vote reflected unanimous approval.

Chair Hardison questioned whether her use of the term ad hoc committees was proper.

Assistant City Manager Sunshine suggested that specifying any committees appointed by the Mayor and Council would cover everything and he requested time to do more research on the issue.

The Committee discussed lobbyists noting that state law did not require them to register but the City of Los Angeles has a well-defined lobbyist program. It was suggested that there be a period of time between leaving office and lobbying or having the issue addressed by state codes.

Chair Hardison suggested that if they find there are gaps in the state code they might want to address them and she pointed out that the City had a longstanding history of elected officials who leave office and return to lobby.

Member Skoll proposed making state rules and regulations available to employees for review.

Member Payne observed that the guidelines were good reminders on how to interact and about the seriousness of interacting with those people trying to promote their own agenda. He felt the values and standards would help someone decide whether they were doing the right thing.

Member Furey reported limited guidelines already in place for former elected officials and City Managers.

Member Payne pointed out that everyone leaves office eventually and he suggested addressing that issue for certain employees and elected officials.

Member Gallagher felt the distinction was a good one but suggested the issue be put aside at this point.

Chair Hardison suggested deleting the word lobbyists for now.

**MOTION:** Moved by Member Adelsman and seconded by Member Montoya that the Committee create one code that includes the same values and standards but different examples. A voice vote reflected unanimous approval.

Member Skoll received clarification that City employees would have input before the final outcome of the code.

The Committee discussed the decision to use the term integrity code at the second meeting and definitions of integrity were read and considered. It was noted that ethics are the high level of standards and integrity is how you apply them.

Chair Hardison commented that they wanted the Council to understand that they were creating an integrity code.

Member Gallagher noted the concept of the code was proper behavior together with a goal to do the best job and he added that integrity was manifest in certain values which the City held sacred.

Member Payne suggested they were developing an integrity guide for behavior to promote ethical government.

**MOITON:** Moved by Member Benoit and seconded by Member Gottshall-Sayed that elected officials would be addressed first followed by City employees. A voice vote reflected unanimous approval.

Chair Hardison reiterated that the program was more than the values and standards but also included implementation and education. She noted that they would need to make recommendations to the Council to make sure there would be a review after the first year with appropriate changes.

Member Payne noted that enforcement is an element of sustainment and governing and he questioned who would be in charge.

Member Gottshall-Sayed clarified that sustainable was defined by revisiting, making amendments, enforcement and continuing education.

**MOTION:** Moved by Member Gottshall-Sayed and seconded by Member Benoit to develop an ethics program not just an ethics law. A voice vote reflected unanimous approval.

**MOTION:** Moved by Member Montoya and seconded by Member Benoit to develop a long term, sustainable ethics program. A voice vote reflected unanimous approval.

Chair Hardison questioned whether there were codes from specific cities they wanted to reference and the Committee agreed not to single any one city's code out.

The Committee discussed schedules and meeting dates.

**MOVED:** Moved by Member Adelsman and seconded by Member Montoya that Member Gallagher make the presentation of the report to the City Council. A voice vote reflected unanimous approval.

Chair Hardison called a brief recess from 8:03 P.M. to 8:12 P.M.

**6a. Approve Standards for:**

Chair Hardison indicated that the subcommittees were asked to find commonality in the concepts and then they were given the authority to write 3-5 standards for that value and bring them back. She questioned whether the standards listed included everything from that value that people thought important.

The Committee discussed statements for each value and agreed to formulate examples for the following statements:

**Honesty**

1. I speak the truth – even if it is uncomfortable – I am sincere, candid and keep confidences.
2. Any decisions I make are based solely on the best interests of the City of Torrance, and I recuse myself at any instance of potential conflict.
3. I always display impartiality.

**Respect**

1. I treat my fellow officials, staff and the public with courtesy, compassion and civility, even when we disagree on what is best for the community.
2. I actively listen, ask questions, seek diverse opinions and participate in value-added discussion for the purpose of consensus building.
3. I respect the right of all employees and the public to fair treatment and equal opportunity, free from discrimination or harassment of any sort.
4. I accept individual differences and beliefs without prejudice. I judge others on their character, abilities and conduct.

5. I gain value by respecting others' ideas, diversity, time, differences, creativity, skills and knowledge.

Member Gottshall-Sayed pointed out the difference between personal belief and personal behavior noting that people have to act a certain way but not necessarily believe a certain way.

### **Responsibility**

1. I take responsibility for my actions regardless of their outcome.
2. I am a prudent steward of public resources and consider the impact of my decisions on the City and its citizens.
3. I prepare for meetings, read provided material, research issues, and make informed decisions.
4. I encourage others to act responsibly through my speech and actions.
5. I never excuse or ignore inappropriate activities.

Chair Hardison asked for a strong statement under examples for speaking up when something is wrong.

Member Skoll questioned whether the word responsibility should be in the standard for responsibility.

### **Transparency**

1. I will be open in all activities in which I am engaged, making no attempt to keep the public from any knowledge pertaining to any public issue.
2. I will not maintain nor support any hidden agenda and my decisions/actions will be based solely on the merits of the matter before me.
3. Understanding that public perception is important, I, as a public official, commissioner or employee accept that I am ethically bound to do more than is required of me and less than allowed by law.
4. I will view my conduct through the eyes of those watching my actions to build and maintain the public's trust.

Member Gottshall-Sayed pointed out that some statements under transparency could be used in other categories as examples are developed.

Member Skoll pointed out that the concept of transparency is so important that it was added to the state constitution. The law requires conducting public business in open and public meetings except in limited circumstances for closed sessions. He added that the public is allowed to participate and allowed to inspect of public records.

Member Gallagher pointed out that there is protected information that can not and should not be disclosed and he cautioned against creating a license to disclose things that should not be disclosed. He asked that there be a qualifier at some point for the first statement.

### **Trust**

1. I will ensure that all my communication, interactions, and transactions are open, honest, accurate, and have the best interests of the city and the citizens in mind.
2. I will be fair, impartial, and equitable when making decisions, avoiding the temptation to favor those who have supported me and disfavor those who have not.
3. I will uphold the highest confidence and public trust by never using city assets, information, or relationships for personal gain.

Chair Hardison pointed out that the third item had been covered.

Member Mayeda noted that trust was one value that they were not sure was necessary as it is close to honesty.

Member Gallagher asserted that the most value would be in the examples and he felt input from staff on their practical experience would be important.

### **6b. Approve First Quarter Report for Transmission to City Council**

Considered previously.

### **6c Instructions to Staff**

Chair Hardison asked that the agreed upon statements for the five different values be provided to Committee members and numbered for ease of identification.

\*At 9:01 Vice Chair Gallagher left.

Chair Hardison suggested members come up with examples and staff would help with City employee examples in phase 2.

Member Furey suggested examples for elected officials.

The Committee discussed the way ahead and agreed to write short, broad examples with bullets of known issues, placing all of the proposed statements under each value, numbered for ease of discussion.

Chair Hardison suggested investigating what ethical rules are already on the books and filling in any major gaps.

Assistant City Attorney Pohl proposed providing Committee Members with the state law. He cautioned that regulating personal conduct and political conduct was

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fraught with first amendment difficulties and suggested that they research to see what gaps other cities have filled.

Chair Hardison indicated that the Committee would do some research and she questioned how detailed they wanted to be.

Member Skoll suggested going for the obvious.

Member Gottshall-Sayed suggested that if the Torrance code duplicates state law, state law could be used as it is more inclusive.

Assistant Attorney Pohl suggested an example of an appropriate gap filling ethical regulation could be a sanction for when a Council person leaks what happened in an Executive Session to a third party as that is not covered by any law and could be part of the Torrance code.

Member Skoll suggested some of this could be covered in the training sessions.

Assistant City Manager Sunshine agreed to provide summarized values statements by Tuesday, February 13 and Members were to provide 15 copies of their proposed examples for the March 7 meeting.

## **7. ORAL COMMUNICATIONS**

Chair Hardison asked for Orals. There were none.

## **8. ADJOURNMENT**

At 9:14 p.m., the meeting was adjourned to Wednesday, March 7, 2007 at 7:00 p.m., in the Cultural Arts Center Garden Room.

Approved as Submitted March 7, 2007 s/ Sue Herbers, City Clerk
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